

Edwin F. McPherson – State Bar No. 106084

emcpherson@m-klaw.com

Tracy B. Rane – State Bar No. 192959

trane@m-klaw.com

McPHERSON & ASSOCIATES

1801 Century Park East

24th Floor

Los Angeles, CA 90067

Tel:(310)553-8833

Fax:(310)553-9233

E-FILED 07/18/08

Attorneys for Plaintiff VERNE TROYER

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

VERNE TROYER, an individual,

Plaintiff,

v.

TMZ PRODUCTIONS, INC., a
California corporation; SUGAR DVD, a
California corporation; KEVIN BLATT,
an individual, and DOES 1 through 100,
inclusive,

Defendants.

CASE NO. CV 08-04233 PSG (JWJx)

**PROPOSED ORDER RE:
STIPULATION FOR DISMISSAL AND
PERMANENT INJUNCTION**

Upon consideration of the Stipulation for Dismissal without Prejudice and
Permanent Injunction between Plaintiff Verne Troyer (hereinafter “Troyer”) and
Defendant Kevin Blatt (hereinafter “Blatt”), and for GOOD CAUSE SHOWN;

IT IS HEREBY ORDERED, adjudged, and decreed as follows:

1. Jurisdiction

This Court has jurisdiction over the parties to this action, and has
jurisdiction over the subject matter hereof. The jurisdiction of this Court shall be retained
for the purposes of enforcing this Order;

1 **2. Dismissal**

2 Defendant Kevin Blatt is hereby dismissed from this litigation with
3 prejudice;

4 **3. Permanent Injunction**

5 Defendant Blatt, and his agents, managers, publicists, employees, subsidiaries,
6 officers, directors, representatives, attorneys, successors, assigns, and anyone acting in
7 concert with him, shall be permanently restrained from:

8 (a) Selling, attempting to sell, causing to be sold, assisting any other
9 individual or entity to sell, copying, reproducing, preparing derivative works, publishing,
10 disseminating, distributing, circulating, promoting, marketing, and advertising the
11 Videotape;

12 (b) Selling, attempting to sell, causing to be sold, assisting any other
13 individual or entity to sell, copying, reproducing, preparing derivative works, publishing,
14 disseminating, distributing, circulating, promoting, marketing, and advertising of still
15 photographs or images from the Videotape, captured images from the Videotape
16 displayed on the Internet or any other medium, and/or any downloaded hard copies of
17 images from the Videotape;

18 (c) Selling, attempting to sell, causing to be sold, assisting any other
19 individual or entity to sell, copying, reproducing, preparing derivative works, publishing,
20 disseminating, distributing, circulating, promoting, marketing, and advertising of all
21 advertising, promotional material, or packaging referring to the Videotape;

22 (d) Taking orders for copies of the Videotape through the Internet or any
23 other means;

24 (e) Shipping copies of the Videotape to those purchasers who already
25 have placed orders for copies of the Videotape, or to anyone else;

26 (f) Using Verne Troyer's name, likeness or identity, in any manner
27 whatsoever, on or in any products, merchandise, or goods, or for purposes of advertising
28 or selling, or soliciting purchases of, products, merchandise, goods or services, of any

1 nature or of any kind;

2 **4. Costs and Attorneys' Fees**

3 Each Party shall bear its own costs and attorneys' fees;

4 **5. Service**

5 The Order shall be deemed to have been served upon Blatt at the time of its
6 execution by this Court.

7
8 DATED: July 18, 2008

PHILIP S. GUTIERREZ
UNITED STATES DISTRICT JUDGE